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G.674

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A.P. STATE WAQF BOARD,
4th FLOOR, IMDADAGHAR, Opp: KALESWARAO MARKET, VIJAYAWADA.**

F.No. 01 / M / KAD / 2019.

Date: 20-06-2023.

YSR KADAPA DISTRICT - DRAGAH OF HAZRATH KAMAL POSH BABA SAHEB
SITUATED AT DANDU THE OUTSKIRTS OF KADAPA CITY - Sri SYED ARSHAD
IQBAL QADRI, S/o. Late SYED IQBAL BASHA QADRI APPOINTED AS
MUTAWALLI U/Sec.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF
TWO (2) YEARS.

- Read : 1. Representation of Sri. Syed Arshad Iqbal Qadri, S/o. late Syed Iqbal
Basha Qadri, R/o. Kadapa City, YSR Kadapa District, dated: Nil on
31-03-2023
2. This Office Memo of even No., Dated:06-04-2023.
3. Report of Inspector Auditor Waqfs, YSR Kadapa District, vide
F.No.IAW/27/KDP/2018, dated:17-04-2023.
4. This Office Paper Notification of even No., Dated:02-05-2023.
5. Report of Inspector Auditor Waqfs, YSR Kadapa District, vide
F.No.IAW/27/KDP/2018, dated:22-05-2023 along original paper of
publication in Andhra Jyothi paper dated:04-05-2023.
6. Orders of the Competent Authority / Special Officer, APSWB, Dated:
20-06-2023.

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ORDER:

The Waqf institution namely Dragah of Hazrath Kamal Posh Baba Saheb situated at Dandu the outskirts of Kadapa City , YSR Kadapa District is a notified Waqf and got published in AP Gazette No.13, Part-II, Dated:26-03-1964 at Serial No.99 in page Nos.286 & 287 under the Towliath of Sheik Naune Mian.

In the ref.1st read above, Sri.Syed Arshad Iqbal Qadri, S/o.late Syed Iqbal Basha Qadri has submitted a representation stating that his father late Syed Iqbal Basha Qadri had managed the affairs of the subject Dargah and developed the dargah till his death, after demise of his father he is managing the affairs of the subject Dargah, Paying Waqf fund, Electricity bills, Salaries to Muzawar etc., and providing necessary arrangement to the devotee .

In response to the above said representation, this office issued direction to the I.A. YSR Kadapa District vide in the ref. 2nd read above, for submission of a detail report along with connected relevant documents for taking onwards process in the matter.

In response to the office memo the I.A.Waqfs, YSR Kadapa District has submitted his detailed report vide ref.3rd read above, and recommended for appointment of Mutawalli to the subject Dargah.

After perusal of the records as the further course of action, this office has issued Paper Notification for calling claims and objections if any for appointment of Sri. Syed Arshad Iqbal Qadri, S/o. late Syed Iqbal Basha Qadri as Mutawalli U/sec.63 of Waqf Act, 1995 to the subject Waqf institution and its attached properties, may file their claims and objection within a period of (15) days from the date of Publication of this Notification with documentary evidence vide ref. 4th read above.

The Inspector Auditor Waqfs, YSR Kadapa District has submitted his report vide ref.5th read above, that the above said paper notification was published in Andhra Jyothi Telugu daily Edition of YSR Kadapa District on 04-05-2023 and there were no claims & objections received against the said paper notification, as such.

The matter was placed before the Competent Authority / Special Officer, APSWB who after examining the matter carefully, passed orders in the ref.6th read above, to appoint Sri. Syed Arshad Iqbal Qadri, S/o. late Syed Iqbal Basha Qadri as Mutawalli U/sec.63 of Waqf Act,1995 for Dragah of Hazrath Kamal Posh Baba Saheb situated at Dandu the outskirts of Kadapa City, YSR Kadapa District for a period of two (2) years.

Accordingly, Sri. Syed Arshad Iqbal Qadri, S/o. late Syed Iqbal Basha Qadri appointed as Mutawalli U/sec.63 of Waqf Act, 1995 for Dragah of Hazrath Kamal Posh Baba Saheb situated at Dandu the outskirts of Kadapa City, YSR Kadapa District for a period of two (2) years for managing the affairs of the subject Waqf Institution by following Waqf Act, 1995 and Waqf Rules made there under.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec.61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to two (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold/ withdrawn the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer (FAC),
A.P. State Waqf Board,
Vijayawada.

To
Sri. Syed Arshad Iqbal Qadri, S/o.late Syed Iqbal Basha Qadri,
Mutawalli of Dragah of Hazrath Kamal Posh Baba Saheb,
situated at Dandu the outskirts of Kadapa City, YSR Kadapa District.